

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 3099*

House Bill No. 2927

FILED
Date _____
Time _____
Clerk _____
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by deleting Sections 1 through 6 of the printed bill, by redesignating the effective date section appropriately, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-1-127(c) is amended by redesignating the existing subsection as subdivision (C)(1), by deleting the language "Pursuant to the requirements of subsections (g) and (h), and by substituting instead the language "Subject to the requirements and restrictions of the following subsections or sections of this part, ", and by adding the following new subdivisions:

(2) The department shall not release from the records described in subdivision (c)(1), any "identifying information", as defined in subdivision (c)(3), which would identify or tend to identify any person who has filed a contact veto prohibiting the release of identifying information or to whom the automatic veto applies, but shall release such other information contained in such records if it would not identify or tend to identify the persons who have filed a contact veto prohibiting the release of identifying information or to whom a contact veto prohibiting the release of identifying information applies or if it would not identify or tend to identify any persons eligible to file a contact veto or for whom an automatic veto would apply and for whom no request for contact has been made or for whom no search for determination of consent for release of identifying information has been made or for whom no consent to release of identifying information has been given. If no contact veto prohibiting the release of identifying information has been filed by a person eligible to do so either before or after the search procedures set forth in the following provisions of this part, or if no automatic veto as set forth in this part

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otherwise applies, then the identifying information as set forth in item (C) shall be released as it applies to the person with whom contact has been sought.

(C) As used in this section, unless the context otherwise requires, "identifying information" for purposes of subdivision (c)(2) shall be limited to the following information if available from the adoption records, sealed records, sealed adoption records, or post-adoption records maintained by the department or other information source, and shall be released only to the extent and only as it applies to persons for whom contact has been sought and by or for whom consent has been given or for whom no contact veto has been filed or for whom a no contact veto otherwise applies:

(A) The name of the child or person before adoption, placement for adoption, or attempted adoption;

(B) The name and address of each biological parent at the time of termination of parental or guardianship rights or surrender or parental consent of a child for adoption;

(C) The most recent name and address of each biological parent of the adopted person or person for whom any adoption records, sealed records, sealed adoption records, or post-adoption records are maintained.

(D) The names of siblings at the time of termination of parental or guardianship rights, surrender or parental consent of a child for adoption;

(E) The name and address and telephone number or other information necessary to locate the person who has consented to the disclosure of identifying information..

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SECTION 2. Tennessee Code Annotated, Section 36-1-127(f) is amended, deleting subsection (f) in its entirety and by substituting instead the following:

(f) No identifying information from the sealed adoption record, or post-adoption record requested by the persons stated in subsection (c) shall be made available until the department has completed the search of the contact veto registry as provided in Section 36-1-130 and finds that no contact veto prohibiting the release of identifying information has been filed and completed the search pursuant to Section 36-1-131 and no contact veto prohibiting the release of identifying information is filed.

SECTION 3. Tennessee Code Annotated, Section 36-1-128(a), is amended by adding the language “and of the willingness or unwillingness to allow the release of identifying information” at the end of the first sentence.

SECTION 4. Tennessee Code Annotated, Section 36-1-129, is amended by adding the following language between the first and second sentences of such section:

The form shall also permit such person to consent to or prohibit the release of identifying information. If no designation is made in the filed contact veto, then no identifying information will be released. Any person who has filed a contact veto may, at any time, revise the contact veto to consent to or prohibit the release of identifying information. Authorization at any time to release identifying information shall not otherwise affect the contact veto.

SECTION 5. Tennessee Code Annotated, Section 36-1-128(b), is amended by deleting the word “either” and deleting the language “or to give consent to contact”.

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SECTION 6. Tennessee Code Annotated, Section 36-1-130(a)(2), is amended by deleting the word "Upon" and by substituting instead the language "Unless a proper party has filed a contact veto limiting contact and release of identifying information or an automatic veto applies, upon".

SECTION 7. Tennessee Code Annotated, Section 36-1-130(a)(2), is amended by deleting the first sentence of the subsection in its entirety and by substituting instead the following:

Upon submission of the sworn statement and after proper identification of the requesting party, the department shall search the records to determine whether a contact veto or a contact veto prohibiting release of identifying information has been filed. Upon determining the limitations of such veto, the department shall grant appropriate access to the records requested.

SECTION 8. Tennessee Code Annotated, Section 36-1-130(b)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(b)(2) If the contact veto remains intact, then the department shall notify the requesting party of this fact and the requesting party shall not be permitted any contact with the person sought and, if prohibited, no identifying information shall be released relative to the person.

SECTION 9. Tennessee Code Annotated, Section 36-1-129 (e), is amended by inserting the language "or for the release of identifying information" after the language "for contact" and the word "or".

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SECTION 10. Tennessee Code Annotated, Section 36-1-128(c), is amended by deleting the word “and” at the end of subdivision (6), by adding the following as a new subdivision (7) and by redesignating the subsequent division appropriately:

(7) Whether identifying information may be released; and

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